

Conservation and Reclamation: House bills Nos. 243, 430.

Criminal Jurisprudence: House bills Nos. 434, 433; Senate bills Nos. 43, 149.

Roads, Bridges and Ferries: House bills Nos. 405, 396, 409.

Claims and Accounts: House bill No. 440.

Game and Fisheries: House bills Nos. 413, 443.

Stock and Stock Raising: House bill No. 435.

Counties: House bills Nos. 309, 422, 411.

Privileges, Suffrage and Elections: House bill No. 364.

Labor: House bill No. 444.

The following standing committees filed adverse reports today on bills as follows:

Stock and Stock Raising: House bill No. 402.

Revenue and Taxation: House bills Nos. 370, 313.

Roads, Bridges and Ferries: House bills Nos. 310, 437.

REPORTS OF COMMITTEE ON ENGROSSED BILLS.

Committee Room.

Austin, Texas, February 14, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 174, A bill to be entitled "An Act to amend Article 7138, Revised Civil Statutes of 1911, so as to provide for the appointment of deputy constables in justice precincts in which there is no city of eight thousand or more inhabitants, and declaring an emergency,"

And find the same correctly engrossed.
SNEED, Chairman.

Committee Room,

Austin, Texas, February 14, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 342, A bill to be entitled "An Act to make certain emergency appropriations out of the general revenues for the several institutions and departments of the State Government for the fiscal year ending August 31, 1921, and declaring an emergency,"

And find the same correctly engrossed.
SNEED, Chairman.

REPORTS OF COMMITTEE ON ENROLLED BILLS.

Committee Room,

Austin, Texas, February 14, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 21, Providing for investigation of price of crude oil,

Have carefully compared same, and find it correctly enrolled, and have this day, at 11:45 o'clock a. m., presented same to the Governor for his approval.

FAUBION, Chairman.

Committee Room,

Austin, Texas, February 14, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: Your Committee on Enrolled Bills, to whom was referred

H. C. R. No. 23, Providing for joint session for consultation with the Governor,

Have carefully compared same, and find it correctly enrolled, and have this day, at 10:30 o'clock a. m., presented same to the Governor for his approval.

FAUBION, Chairman.

TWENTY-FIFTH DAY.

(Continued.)

(Tuesday, February 15, 1921.)

The House met at 10 o'clock a. m., and was called to order by Speaker Thomas.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Baldwin, Mr. Jones, Mr. Chitwood and Mr. Stewart of Reeves:

H. B. No. 450, A bill to be entitled "An Act to provide for the sale and leases of the land theretofore or hereafter set apart for the permanent University fund; providing for patenting, transferring and reservation of royalty on minerals, and repealing Articles 2633, 2634 and 2635 of the Revised Civil Statutes of 1911, giving the Board of Regents of University control or the Uni-

versity land, and declaring an emergency."

Referred to Committee on Public Lands.

By Mr. Carpenter:

H. B. No. 451, A bill to be entitled "An Act to aid the city of Palacios in constructing and maintaining revetments and in restoring protection and improvement of the harbor and bay shore front of the city of Palacios, and for the purchase, by condemnation or otherwise, of all lands necessary for said bay shore front and harbor improvements, all for public use, by donating to said city of Palacios the ad valorem taxes to be collected by the State of Texas on all property and from all persons owning property situated within county commissioners precincts numbers one, three and four, of the county of Matagorda, State of Texas, for the year 1921; providing for the handling of said taxes by the city council of the city of Palacios, and prescribing a penalty for the misappropriation of such funds. Whereas, the city of Palacios was greatly damaged in the disastrous storm of September, A. D. 1919, and all property on the bay front was either completely destroyed or greatly damaged and that said storm caused the most serious damage to the bay front on which said city is located, and that the erosion was so great as to cause serious damage to property, and leave the city dangerously exposed to still greater storm damages in the future, and said city is wholly unable, from a financial standpoint to restore said destruction, or to protect itself in the future from similar destruction; and the storm further demonstrated the fact that there is great and urgent need for greater harbor protection for the shipping of fish and oysters, mud-shell and other industries. That said bay shore should be protected to prevent erosions from future storms, and said harbor protection furnished; and whereas, it is the desire of the tax-paying citizens of said city of Palacios and of the commissioners precincts named that improvements be made to secure the protection and reparation from the damage above mentioned and that said taxes be donated to and used by said city of Palacios for such purpose."

Referred to Committee on State Affairs.

By Mr. Morris of Medina:

H. B. No. 452, A bill to be entitled "An Act to validate sales of certain

public school lands situated in whole or in part in Uvalde county, State of Texas, sold by the State on November 28, 1904; September 20, 1909, and January 2, 1919, and declaring an emergency."

Referred to Committee on Public Lands.

By Mr. Smith:

H. B. No. 453, A bill to be entitled "An Act to amend Sections 5, 6 and 9 of Chapter 33, General Laws passed by the First Called Session of the Thirty-third Legislature, providing for the incorporation and regulating of certain corporations generally known as Building and Loan Associations, said amendments regulating the kind of shares to be issued by such associations; the investment of the assets of same, the withdrawal of shares, and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Malone:

H. B. No. 454, A bill to be entitled "An Act creating for Tarrant county an additional county court for civil cases: providing a name therefor; prescribing the jurisdiction thereof; providing for the election and qualification of the judge thereof; fixing the compensation of the judge thereof; specifying and fixing the terms thereof; prescribing the powers and duties of the judge thereof; providing for the appointment and election of special judge, and for filling vacancies in said office, and declaring an emergency."

Referred to Committee on Judicial Districts.

By Mr. Burns (by request):

H. B. No. 455, A bill to be entitled "An Act repealing the act of the Thirty-fifth Legislature, Chapter 179, passed at the Regular Session of the Thirty-fifth Legislature of the State of Texas, said Chapter 179 being at pages 391 and 392, published volume of said General Laws, being an act to require the publication in some newspaper of general circulation of all notices now required by law or contract to be given of any act or proceeding, whether public or private, or relating to a judicial, executive or legislative matter."

Referred to Judiciary Committee.

By Mr. Thompson of Red River:

H. B. No. 456, A bill to be entitled "An Act to amend Article 7162 and Article 7164, Revised Civil Statutes of the State of Texas, 1911, providing that

said articles shall be so amended that the appraisers appointed to assess the value of any animals that have been condemned by said appraisers to be killed because said animals are diseased with glanders or farcy, at their value at the time of making said appraisal and condemnation, and shall not take into consideration that said animals had the glanders or farcy, and empowering the commissioners court to pay any amount that they may think just and right not to exceed one-half of the value of said animals, and declaring an emergency."

Referred to Committee on Live Stock and Stock Raising.

By Mr. Thompson of Red River:

H. B. No. 457, A bill to be entitled "An Act to amend Article 5652, Revised Civil Statutes of 1911, providing that the owner or keeper of any stallion, jack, bull or boar, who keeps the same confined for the purpose of standing him for profit, shall have a preference lien upon the mare, cow, sow so bred, to secure the payment of the amount due such owner or keeper of said stallion, bull, jack or boar, for the service of the same, and declaring an emergency."

Referred to Committee on Live Stock and Stock Raising.

By Mr. Rosser:

H. B. No. 458, A bill to be entitled "An Act to amend Article 4859, Title 71, Chapter 7, relating to reports of local insurance associations of the Revised Civil Statutes, 1911, of the State of Texas, so as to make the radius of operation in territory 100 miles instead of 50 miles, and providing that a majority of the officers reside in the territory, and leaving number of policyholders without limit."

Referred to Committee on Insurance.

By Mr. Cummins:

H. B. No. 459, A bill to be entitled "An Act to provide for the creation of a commission on uniform State laws, the appointment of commissioners thereto, and the payment of the expense of such commissioners, and contribution to the support of the national conference of commissioners on uniform State laws."

Referred to Judiciary Committee.

By Mr. Hendricks and Mr. Johnson of Ellis:

H. B. No. 460, A bill to be entitled "An Act to further provide, under the authority of Section 52, Article 3, of

the Constitution, for the creation of road districts, and providing that such districts may be created of a previously created road district and other territory, or of two or more such districts with or without additional territory, or of one or more such districts, or portions of districts as specially permitted with or without additional territory, and for excluding from such district, if desired, any portion of its territory covered by an overlapping district created under the same section of the Constitution and conferring upon such district all the rights, powers and privileges conferred upon road districts by any laws passed pursuant to said section of the Constitution, and the further power under certain circumstances to construct and maintain roads beyond the district; providing that any county or road district acting under the provisions of Section 52, of Article 3, of the Constitution, may create indebtedness for the purpose of maintaining roads upon a vote of two-thirds majority of the resident property tax-paying voters voting thereon who are qualified electors of such county or district; providing that any county, whether operating under a special road law or not, may avail itself of the provisions of this act, and declaring an emergency."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. Thrasher and Mr. Harrison:

H. B. No. 461, A bill to be entitled "An Act to amend Articles 6287, 6290, 6292, 6294, 6295, 6296, 6297, Chapter 1, Title 106, Revised Civil Statutes of the State of Texas for 1911, making it the duty of the Texas State Board of Pharmacy to examine applicants for registration in the months of June and January of each year; prescribing the fees that may be charged for such examination; making it unlawful for any person not licensed under the provisions of this act to conduct or manage any pharmacy, drug or chemical store, or other place of business for the retailing, compounding or dispensing of certain drugs, or for the compounding of physicians' prescriptions; prescribing the percentage applicants for registration must make on examination; providing for the issuance of a life certificate to practice pharmacy by the said Board of Pharmacy; defining the term 'Practice Pharmacy'; providing for reciprocity with other States; providing for the renewal of certificates and the fee to be charged therefor; fixing a penalty for the violation of any of the provisions

of this act; amending Article 781 and repealing Articles 771, 772, 773, 774, 775, 776, 778, 780, of Chapter 8, Title 12, of the Revised Criminal Statutes of the State of Texas for 1911, and all laws or parts of laws in conflict with this act."

Referred to Committee on Public Health.

By Mr. Baldwin (by request):

H. B. No. 462. A bill to be entitled "An Act to amend Section 13 of Article 7355, Revised Civil Statutes of the State of Texas, relating to occupation tax on theaters; prescribing the amount of such tax; making certain exemptions from the payment thereof; fixing the amount of tax to be paid by managers where performances are exhibited in regularly recognized opera houses or theaters, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Baldwin (by request):

H. B. No. 463. A bill to be entitled "An Act amending Chapter 39, Local and Special Laws passed at the Third Called Session of the Thirty-sixth Legislature, approved June 17, 1920, creating the Lorenzo Independent School District in Crosby and Lubbock counties, by adding thereto after Section 15 thereof a new Section 15a, providing that said Lorenzo Independent School District shall assume any and all outstanding indebtedness and bonds and interest thereon existing at the time of the incorporation of said district, created by Lorenzo County Line Common School District No. 2; making all such indebtedness binding and valid obligation of the Lorenzo Independent School District; validating all acts of the board of trustees of the Lorenzo Independent School District in making payments either of principal or interest on any such indebtedness, and declaring an emergency."

Referred to Committee on Education.

By Mr. Baldwin (by request):

H. B. No. 464. A bill to be entitled "An Act creating and incorporating Cone Independent School District in Crosby county, Texas; defining the boundaries thereof; providing for a board of trustees, their election, terms of office, qualifications, powers, duties and authority; authorizing said board to levy, assess and collect taxes for maintenance and building purposes and to issue bonds; providing for an assessor and collector of taxes and board of equalization; pro-

viding for the Cone Independent School District shall assume and discharge all valid outstanding bonds, obligations and indebtedness of Cone Common School District No. 5 in Crosby county; validating and continuing in force all taxes heretofore voted and now in force in said Common School District No. 5; providing that title to all property now vested in Cone Common School District No. 5 shall on the passage of this act vest in Cone Independent School District as herein created; provided for filling vacancies in the board of trustees; providing for a seal for said district; providing that the board of trustees of said district shall in all things be governed by the general laws of Texas relating to independent school districts in matters where this act is silent; repealing all laws in conflict herewith; providing invalidation by the courts of any provision of this act shall not invalidate any remaining portion or provision, and declaring an emergency."

Referred to Committee on Education.

By Mr. O. B. Black of Bexar and Mr. West (by request):

H. B. No. 465. A bill to be entitled "An Act regulating the practice of public shorthand reporting; creating an examining board; defining its powers; providing for fees and their disbursement and for examinations; prescribing when examinations shall be waived; prescribing qualifications of official shorthand reporters, with exceptions thereto; prescribing when transcripts of testimony shall be competent evidence and providing a penalty for violations of this act, with a repealing clause."

Referred to Judiciary Committee.

By Mr. Thompson of Red River:

H. B. No. 466. A bill to be entitled "An Act to establish and redefine Rugby Common School District No. 40 of Red River county, Texas; to validate election heretofore held in said district for local taxes for the further maintenance of public free schools in said district; to validate election heretofore held in said district for the issuance of school-house bonds in said district; to authorize the Attorney General of Texas to be governed by the metes and bounds as defined in this act in passing on the bond record made by virtue of said election for the issuance of said school-house bonds; providing that said Rugby Common School District No. 40 in Red River county, Texas, shall be under the general laws of Texas with respect

to common school districts when not in conflict with this act, and declaring an emergency."

Referred to Committee on Education.

By Mr. Binkley:

H. B. No. 467, A bill to be entitled "An Act to abolish the State Highway Commission as created by Chapter 190 of the Acts of 1917, and the amendment thereto and as the same now exists under the law; to merge the State Highway Department with the Railroad Commission of Texas, and providing that the engineer appointed by the Railroad Commission shall perform the duties now devolving upon the State Highway Engineer; and providing that the Railroad Commission shall exercise, execute, perform and discharge and have all the duties, powers, rights and functions now possessed by the State Highway Commission under and by virtue of the terms of the law governing such Highway Commission, and shall carry out and perform all the conditions and duties of such law; and providing that upon the taking effect of this law the said State Highway Commission, the said State Highway Engineer and the secretary of the said Commission shall turn over and deliver to the Railroad Commission all property of every character and kind in the possession of said State Highway Commission, including all maps, records, data and everything pertaining to said State Highway Department to said Railroad Commission; providing that the duties of the Highway Department shall be performed as far as possible by employees of the Railroad Commission; providing for the bonding of certain employees, and declaring an emergency."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. Wright and Mr. Binkley:

H. B. No. 468, A bill to be entitled "An Act creating the Ninety-second Judicial District, to be composed of the counties of Young, Archer and Clay, and fixing the terms of said court; providing for the election of a district judge and district attorney; providing that the Thirtieth Judicial District, now composed of the counties of Young, Archer, Clay and Wichita, shall hereafter be composed of Wichita county only, and fixing the terms of said Thirtieth Judicial District; providing for officers of the court, and preserving the status of cases and proceedings, and declaring an emergency."

Referred to Committee on Judicial Districts.

By Mr. West (by request):

H. B. No. 469, A bill to be entitled "An Act to direct and authorize the county commissioners courts of all counties in the State of Texas to construct, at all points where county roads or State highways cross at grade a steam railroad or interurban line, a safety crossing of any character which makes or tends to make automobiles or other vehicles reduce the speed when crossing said railroads or interurban lines, and to provide a penalty for drivers of automobiles or other vehicles or other persons, for failing to use said device when constructed, and for destroying or mutilating said device, and declaring an emergency."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. Smith:

H. B. No. 470, A bill to be entitled "An Act requiring the surety and insurance companies transacting the business of corporate suretyship in Texas to file with the Commissioner of Insurance and Banking schedules of premium rates for contracts of guaranty and suretyship and amendments thereto; defining and prohibiting discriminations as to such contracts and authorizing the Commissioner of Insurance and Banking to remove same; prohibiting the issuance of such contracts or terms other than those prescribed by schedules on file, and defining and prohibiting devices for the evasion of such schedule rates; providing for the organization, maintenance and regulation of bureaus for suggesting and making rates, and filing of articles of agreement, by-laws and other information required by the Commissioner of Insurance and Banking; providing for discounts and rebates on premium rates, and allowing payment of legitimate commissions to officers, agents and brokers; creating and defining offenses for violations of this act and prescribing punishment therefor; repealing all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Insurance.

By Mr. Branch:

H. B. No. 471, A bill to be entitled "An Act creating the Highland Independent School District, in Cameron county, Texas, and defining its boundaries; providing for the election of a board of trustees therefor; providing for the secretary, treasurer, assessor

and collector of taxes and all other necessary officers and committees, and prescribing their qualifications; investing said district with all the rights, powers, privileges and duties of a town or village incorporated under the general laws of the State for free school purposes only; prescribing the maximum rates of taxation within a specified limit of time, and declaring an emergency."

Referred to Committee on Education.

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

Senate bill No. 144, to the Judiciary Committee.

Senate bill No. 113, to the Committee on Public Health.

Senate bill No. 28, to the Committee on Public Lands.

Senate bill No. 88, to the Committee on Judicial Districts.

Senate bill No. 89, to the Committee on State Affairs.

Senate bill No. 23, to the Judiciary Committee.

Senate bill No. 101, to the Committee on Roads, Bridges and Ferries.

Senate bill No. 160 to the Committee on Education.

Senate bill No. 184, to the Committee on Education.

BILL RECOMMENDED.

On motion of Mr. Cox, by unanimous consent, House bill No. 77 was recommended to the Judiciary Committee.

MESSAGE FROM THE SENATE.

Senate Chamber.

Austin, Texas, February 15, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 160. A bill to be entitled "An Act creating the Hammond Independent School District of Robertson county Texas, as is included by the field notes as follows: Defining its boundaries, investing it with the rights, powers and duties and privileges of a district incorporated for school purposes under the general law; providing for a board of trustees therefor; making provisions for taxation for school purposes in said district, and declaring an emergency."

S. B. No. 184, A bill to be entitled "An Act creating the Desdemonia Independent School District in Eastland county, Texas, defining its boundaries, such boundaries to be the same as Common School District No. 41 of Eastland county; providing for a board of trustees in said district; conferring upon said district and its board of trustees all the rights, powers, privileges and duties now conferred and imposed by the general laws of Texas upon independent school districts and the board of trustees thereof; providing that the present board of trustees of said Common School District No. 41 shall continue in office until the first Saturday in April, 1921, or until their successors are elected and qualified; and providing that such trustees shall have the power to appoint four other trustees; providing for an election to be held on the first Saturday of April, 1921, to elect the successors of said trustees; declaring the maintenance tax and bond tax heretofore authorized in said Common School District No. 41 to be valid and binding upon said independent school district; providing for an assessor and collector of taxes for said district; providing for the levying, assessing and collecting of taxes for the current year, and annually thereafter; providing that all bonds, obligations, contracts and indebtedness legally existing against Common School District No. 41 are imposed upon the Desdemonia Independent School District; providing the title to all property within said district and all funds shall vest in the board of trustees of said Desdemonia Independent School District and their successors in office, and declaring an emergency."

S. B. No. 101, A bill to be entitled "An Act to amend Section 16 of Chapter 190 of the General Laws of the Regular Session of the Thirty-fifth Legislature, as amended by Section 2 of Chapter 71 of the General Laws of the Fourth Called Session of the Thirty-fifth Legislature, and as amended by Section 1, Chapter 113, of the General Laws of the Regular Session of the Thirty-sixth Legislature by increasing the annual license fee on commercial vehicles and interurban commercial vehicles, and amending Section 16a, added to Chapter 190, of the General Laws of the Regular Session of the Thirty-fifth Legislature by Section 2 of Chapter 113 of the Acts of the Regular Session of the Thirty-sixth Legislature by increasing the license fee on commercial and interurban commercial vehicles based

upon carrying capacity and per mile traveled, and declaring an emergency."

And has refused to pass to engrossment

S. B. No. 16, A bill to be entitled "An Act to amend Article 1521 of the Revised Civil Statutes of Texas, defining the jurisdiction of the Supreme Court, as amended by the Acts of 1913, page 107, further limiting the jurisdiction of the Supreme Court, and declaring an emergency."

Respectfully,

A. W. HOLT,

Assistant Secretary of the Senate.

HOUSE BILL NO. 18 ON SECOND READING.

On motion of Mr. Veatch, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 18, A bill to be entitled "An Act abolishing the Markets and Warehouse Department and the Weights and Measures Department and conferring all the authority, powers, duties, functions, rights and liabilities of the Commissioner of Markets and Warehouses and of said Markets and Warehouse Department and Weights and Measures Department upon the Commissioner of Agriculture; abolishing the board consisting of the Governor, Commissioner of Agriculture and the Commissioner of Insurance and Banking, created by Chapter 5, General Laws of the Second Called Session of the Thirty-third Legislature, and vesting the powers and duties of said board in the Commissioner of Agriculture; conferring the powers and duties of the Commissioner of Insurance and Banking, relative to warehouses upon the Commissioner of Agriculture, except such as are conferred by Chapter 3, General Laws, Second Called Session of the Thirty-third Legislature; conferring power and authority upon the Commissioner of Agriculture to administer the provisions of Chapter 5, General Laws, Second Called Session of the Thirty-third Legislature, Chapter 41, General Laws, First Called Session of the Thirty-fifth Legislature, and Chapter 116 of the General Laws, Regular Session of the Thirty-sixth Legislature, or so much of said statutes as are in force; transferring the appropriations of the Markets and Warehouse Department and the Weights and Measures Department to the Commissioner of Agriculture, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

(Mr. Horton in the chair.)

Mr. Edwards moved the previous question on the engrossment of the bill, and the motion was not seconded.

Mr. Fly offered the following amendments to the bill:

(1)

Amend House bill No. 18 by striking out all after the enacting clause and insert in lieu thereof the following:

Be it enacted by the Legislature of the State of Texas:

Section 1. There is hereby created a board to be known as the "Agriculture, Live Stock and Industrial Board of Texas" to be composed of nine members appointed by the Governor, whose term of office shall be six years, beginning with the day this act takes effect, provided, however, that the board first appointed hereunder shall be appointed as follows: Three members thereof shall be appointed for two years, three members thereof appointed for four years and three members thereof appointed for six years; the different classes to be designated by the Governor and thereafter the successors shall be appointed for six-year terms. Before entering upon the discharge of their duties, the members of such board shall take the constitutional oath of office and the members of such board shall serve without compensation, but shall be allowed their actual and necessary traveling expenses, including railroad fare and hotel bills while attending a meeting of such board, the same to be paid upon sworn accounts by warrants issued by the Comptroller upon the Treasurer.

Sec. 2. The board shall choose from among its members a chairman to preside over its meeting and shall adopt such rules and regulations as are best fitted for its government and the government of the departments under its charge. Said board shall meet annually in the city of Austin on the first Monday in June and continue in session until all business is disposed of. Special meetings of the board may be held upon call of the chairman, and it shall be the duty of the chairman to call special meetings when requested in writing by five or more members of the board. Such special meetings may be held at such times and places within the State as is designated in the call.

Sec. 3. The board herein created shall cause to be enforced all the laws of this State now enacted, or hereafter to be enacted, dealing with the subject of

agriculture, live stock, markets and warehouses, except as herein provided. To accomplish the purpose of this act, said board shall appoint a Commissioner of Agriculture, Live Stock Commissioner, and a Commissioner of Markets and Warehouses, which commissioners shall administer and enforce all laws of this State dealing with their respective subjects under the rules and regulations of the board herein created.

Sec. 4. The commissioners of the respective departments mentioned in Section 3 hereof shall before they enter upon the duties of their offices take the constitutional oath of office and enter into bond in the sum of ten thousand (\$10,000.00) dollars payable to the Governor of Texas to be approved by the board herein created and filed with the Secretary of State. The first term of such office under this act shall begin on the day this act takes effect. Each of said commissioners shall receive an annual salary of thirty-six hundred (\$3600.00) dollars payable in monthly installments of three hundred (\$300.00) dollars each by warrant drawn by the Comptroller on the Treasury of the State.

Sec. 5. Articles 4435, 4436, 4437, of the Revised Civil Statutes of 1911 are hereby expressly repealed and all the duties, powers and authority conferred upon the Commissioner of Agriculture by Chapter Six (6), Title Sixty-five (65) of Revised Civil Statutes of 1911, are hereby conferred upon such Commissioner of Agriculture under the rules and regulations adopted by the board as herein provided.

Sec. 6. Articles 7312 and 7313 of the Revised Civil Statutes of Texas, 1911, are hereby expressly repealed and all of the powers, duties and authority conferred by Chapter 8, Title 124 of the Revised Civil Statutes of Texas, 1911, upon the Live Stock Sanitary Commission are hereby conferred upon the board herein created and upon the Commissioner of Live Stock herein provided for under the rules and regulations of the board.

Sec. 7. That Sections 2 and 3 of Chapter 41, Acts First Called Session of the Thirty-fifth Legislature of the State of Texas, being an Act to amend an Act passed by the Second Called Session of the Thirty-third Legislature, approved September 26, 1914, creating the office of Commissioner of Markets and Warehouse and giving such commissioner authority to employ a chief clerk, be and the same are hereby continued in full force and effect with all the power, duty and authority vested by

Chapter 41, in the Commissioner of Markets and Warehouses subject, however, to the rules and regulations adopted by the board, and all of the powers, duties and authority vested by said Chapter 41 in the Commissioner of Markets and Warehouses be and the same are hereby vested in the board herein created and in the Commissioner of Markets and Warehouses herein provided for, except as otherwise herein provided.

Sec. 8. The board herein created and the commissioners herein provided for shall not be charged with the enforcement and administration of those statutory provisions herein above referred to that apply purely to educational matters of the Department of Agriculture, but the powers herein conferred upon said board under rules and regulations adopted by them is to cause the enforcement of all laws exercising the police and executive power of the State in the regulation and administration of such departments. The enforcement and direction, supervision and control of subdivision three (3) of Article 4443 of the Revised Civil Statutes of 1911, imposing the duty upon the Commissioner of Agriculture of encouraging the organization of agricultural societies and the holding of farmers' institutes, and all other laws that relate purely to educational matters in the respective departments is hereby conferred upon the board of directors of the A. and M. College of Texas to be administered by such board as a part of the work of said college, it being the purpose of this act to place all educational matters in the various departments therein mentioned under the direction of the A. and M. College and to place all other matters relating to such department and the enforcement of all laws dealing therewith under the direction and control of the board herein created.

Sec. 9. The office of Commissioner of Agriculture and the office of Commissioner of Markets and Warehouses are hereby continued in full force and effect as now provided by statute, but the offices of members of the board of Live Stock Sanitary Commissioners is hereby abolished and a Commissioner of Live Stock is hereby created, and in lieu thereof each of said commissioners in the exercise of their duties, powers and privileges, shall be subject to the rules and regulations of the board.

Sec. 10. The commissioners herein provided for shall have authority to employ all assistants and clerical help necessary for the proper enforcement of the

laws governing their respective departments, subject to the rules and regulations of the board herein created.

Sec. 11. The fact that a central control of the departments herein enumerated would result in saving to the State of large sums of money, creates an emergency and an imperative public necessity demanding that the rule requiring bills to be read on three several days be suspended, and such rule is so suspended, and this act shall take effect from and after its passage, and it is so enacted.

(2)

Amend House bill No. 18 by striking out all preceding the enacting clause and insert in lieu thereof the following:

"A bill to be entitled 'An Act creating the Agriculture, Live Stock and Industrial Board of Texas, providing for the appointment of the members of such board, and fixing their term of office; providing for the payment of expenses of such board and for the selection of the chairman and for regular and special meeting of the board; providing that such board shall cause the enforcement of all laws of this State dealing with the subject of agriculture, live stock, markets and warehouses, except such laws as are purely educational in their nature; providing for the appointment by the Board of Commissioners to enforce the laws dealing with agriculture, live stock and markets and warehouses under the rules and directions of the board; fixing the term of office of such commissioners; providing for their compensation, and providing that they shall take the oath of office and execute a bond; repealing Articles 4435, 4436 and 4437 of the Revised Civil Statutes of 1911, and continuing all the duties, powers and authorities conferred upon the Commissioner of Agriculture by Chapter 6, Title 65, of the Revised Statutes, subject to the authority, rules and regulations of the board; repealing Articles 7312 and 7313 of the Revised Civil Statutes of 1911 and creating the office of Live Stock Commissioner and conferring upon such Commissioner all the power, duties and authority now conferred upon the Live Stock Sanitary Commission by Chapter 8, Title 124, Revised Civil Statutes of 1911, subject to the rules and regulations of the board; amending Section 2, Chapter 41, Acts of the First Called Session, Thirty-fifth Legislature and conferring upon the board the power of the selection of a Commissioner of Markets and Ware-

houses as provided for in Chapter 41, and providing that such Commissioner shall be subject to the rules and regulations of the board; providing that the board created hereunder, and the commissioners therein provided for, shall be charged with the supervision and enforcement of all laws carrying the police and executive power of their respective departments; providing that such board nor the commissioners shall be charged with the enforcement of Section 3 of Article 443, Revised Statutes of 1911, or of any statutes of a purely educational nature, and providing that the Board of Directors of the A. and M. College shall be charged with the enforcement of all statutes of an educational nature; abolishing the manner of the selection of the Commissioner of Agriculture and the Commissioner of Markets and Warehouses, and abolishing the office of the Live Stock Sanitary Commission and substituting in lieu thereof a Live Stock Commissioner; authorizing the respective commissioners to employ all the necessary assistants and clerical force subject to the rules and regulations of the board, and making appropriations for the board, and providing that all officers affected by this act shall continue to exercise their duties as now provided by law until this act shall become effective, and declaring an emergency."

Mr. Quaid raised a point of order on consideration of the amendment on the ground that it is not germane to the purpose of the bill.

The Speaker sustained the point of order.

Question—Shall the bill be passed to engrossment?

INVITING COLONEL CLARENCE OUSLEY TO ADDRESS THE HOUSE.

Mr. Rountree offered the following resolution:

Whereas, Hon. Clarence Ousley, former Assistant Secretary of Agriculture, a member of the Rural Credit Commission that was sent to Europe in 1912 to study rural credit conditions, former Director of Agricultural Extension in the Agricultural and Mechanical College of Texas, and one of the best informed agricultural economists in this country, is now in the city; therefore, be it

Resolved, That the House of Representatives extend Colonel Ousley a cordial invitation to address the members of the House this evening at 7:30 on the present agricultural situation.

The resolution was read second time and was adopted.

NOTICE GIVEN.

Mr. Wessels gave notice that he would on tomorrow call up for consideration at that time, House bill No. 93, which bill has heretofore been read second time and laid on the table subject to call.

RECESS.

On motion of Mr. Horton, the House, at 12 o'clock m., took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m., and was called to order by Mr. Lackey.

COMMUNICATION FROM GOVERNOR OF NUEVO LEON, MEXICO.

The Speaker laid before the House and had read the following communication from the Governor of Nuevo Leon, Mexico:

February 15, 1921.

To the Honorable Members of the Legislature, State of Texas, Austin, Texas.

Esteemed Sirs and Friends: Through the courtesy of Lieutenant Colonel Francisco Chapa, I have received your congratulations upon my official inauguration as Governor of this State.

In the name of the government and of the populace of the State of Nuevo Leon, I sincerely appreciate the honor which you have conferred.

With sincere wishes for your personal happiness and for the prosperity of your State, I remain.

Most sincerely your servant and friend.

JUAN M. GARZA.

MESSAGE FROM THE SENATE.

Senate Chamber.

Austin, Texas, February 15, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 234. A bill to be entitled "An Act to amend Chapter 145, General Laws of the State of Texas, passed by the Thirty-sixth Legislature at its Regular Session, which chapter was 'An Act to amend Chapter 1 of Title 44 of the Revised Civil Statutes of the State of Texas, 1911, and to provide the manner in which State funds shall be kept and

deposited; to define the State Depository Board and its powers, and what banks may become State depositories, and the manner and means of selecting and for the qualification of such State depositories; providing for the distribution of such State funds among such depositories; repealing all laws in conflict, and declaring an emergency'; the effect of this amendment being to add to said chapter a new article immediately following Article 2435, which new article is to be known as Article 2435a, and to provide in substance that during the existence of any general financial or industrial depression at the end of any biennial depository period, after new depositories have been selected by the State Depository Board, if it should be found by the State Depository Board that any of the then existing old depositories have not been or will not be selected as depositories for the next two-year period under the bids submitted, and that the withdrawal of the entire amount of State funds in any particular depository on March first will create a demand on such old depository which it will not be able to meet, though otherwise solvent, then the State Depository Board shall have the discretion and authority to extend the time of payment of such funds into the State Treasury from time to time; provided, however, that such extension shall not be made unless and until such old depository executes a new contract and bond or gives security, as in the first instance, for such period of time as the State Depository Board may designate and at such rate of interest as the State Depository Board may find to be not less than the approximate average rate of interest which the State would receive under the bids submitted for the current biennial depository period into which such extension of time is made, and declaring an emergency."

S. B. No. 245. A bill to be entitled "An Act creating the Palestine Independent School District in Anderson county, Texas, making its boundaries co-extensive with the city of Palestine; providing for a board of trustees; vesting title to all school property within said district in the trustees and their successors; providing that the present board of trustees of the Palestine public schools be the board of trustees for this district, and the terms of office of said trustees shall expire as heretofore, and their successors have been elected and qualified; authorizing the board of trustees to exercise all the rights and powers conferred by the general laws

upon trustees, and all such powers as heretofore possessed by the board of school trustees of the city of Palestine; giving to said district all the rights, powers, privileges and duties of a town or village incorporated for free school purposes only; and vesting in said board of trustees of said district all such powers, rights, privileges and duties given or imposed by general law upon the trustees of independent school districts; and all such powers that are now vested in the city council of Palestine, in so far as they relate to, or concern, the public free schools, and also such powers as are, or may be, vested in the governing body of any city in this State incorporated under the general laws, in so far as same relates to the public free schools; validating and continuing in force the local maintenance tax heretofore voted in said city of Palestine until the voters in this district shall increase, diminish or abolish said tax; providing that any tax provided by general law and voted during 1921 shall be collected for 1921 and subsequent years, and may be levied, assessed and collected on or before January 31, after such election, and annually thereafter, as provided by general law, until changed by a vote of the district; providing that if any part of this act is held ineffective or unconstitutional, the remaining parts shall not be invalidated, and repealing all laws in conflict, and declaring an emergency."

Respectfully,
A. W. HOLT,
Assistant Secretary of the Senate.

HOUSE BILL NO. 18 ON ENGROSSMENT.

The House resumed consideration of pending business, same being House bill No. 18, providing for the consolidation of Marketing and Warehouse Department with the Agricultural Department, on its passage to engrossment.

(Speaker in the chair.)

Mr. Miller of Dallas moved the previous question on the engrossment of the bill, and the main question was ordered.

Question recurring on the engrossment of the bill, yeas and nays were demanded.

House bill No. 18 was passed to engrossment by the following vote:

Yeas—72.

Aiken.	Barrett of Bell.
Baker.	Barrett of Fannin.
Barker.	Bass.

Beasley	Martin.
of Hopkins.	Mathes.
Beasley	Melson.
of McCulloch.	Miller of Parker.
Bonham.	Moore.
Branch.	Morris of Medina.
Burkett.	Morris
Burmeister.	of Montague.
Burns.	Mott.
Childers.	Neblett.
Coffey.	Owen.
Cox.	Patman.
Cummins.	Perkins
Curtis.	of Cherokee.
Davis, John E.,	Perry.
of Dallas.	Quicksall.
Dinkle.	Rice.
Duffey.	Rogers of Shelby.
Edwards.	Rowland.
Estes.	Satterwhite.
Faubion.	Shearer.
Garrett.	Sneed.
Harrington.	Stephens.
Henderson	Stewart
of McLennan.	of Edwards.
Henderson	Stewart of Reeves.
of Marion.	Swann.
Hilli.	Sweet of Brown.
Johnson of Ellis.	Sweet of Tarrant.
Jones.	Thompson
Kacir.	of Red River.
Kellis.	Thrasher.
King.	Veatch.
Laird.	Wadley.
Lawrence.	Walker.
Lindsey.	Wallace.
McDaniel.	West.
McLeod.	Westbrook.

Nays—43.

Baldwin.	Malone.
Beavens.	Marshall.
Binkley.	Menking.
Black, O. B.,	Merriman.
of Bexar.	Miller of Dallas.
Black, W. A.,	Pollard.
of Bexar.	Pool.
Brown.	Quaid.
Bryant.	Rogers of Harris.
Carpenter.	Rosser.
Davis, John,	Schweppe.
of Dallas.	Sims.
Duncan.	Smith.
Fly.	Stevenson.
Fugler.	Thomas
Greer.	of Limestone.
Hall.	Thomason.
Hardin.	Thompson
Harrison.	of Harris.
Hendricks.	Webb.
Johnson	Wessels.
of Wichita.	Williams
Lackey.	of McLennan.
Lauderdale.	Williams
Looney.	of Montgomery.
McFarlane.	

Absent.

Laney.	Rountree.
McKean.	Thorn.
Morgan.	Wright.
Pope.	

Absent—Excused.

Adams.	Kveton.
Brady.	Leslie.
Chitwood.	McCord.
Crawford.	Perkins of Lamar.
Crumpton.	Quinn.
Darroch.	Seagler.
Hanna.	Teer.
Johnson of Gillespie.	

Paired.

Mr. Horton (present), who would vote "nay," with Mr. Grissom (absent), who would vote "yea."

Mr. Veatch moved to reconsider the vote by which the bill was passed to engrossment and to table the motion to reconsider.

The motion to table prevailed.

HOUSE BILL NO. 154 ON SECOND READING.

On motion of Mr. Hill, the regular order of business was suspended to take up and have placed on its second reading and passage to engrossment,

H. B. No. 154, A bill to be entitled "An Act to establish a branch of Agricultural and Mechanical College of Texas in that portion of Western Texas lying west of the ninety-eighth meridian and north of the thirtieth parallel; providing for the location of such college; its government and the control of its finances; defining leading objects and prescribing generally the nature and scope of instruction to be given; providing for the instruction of all students of such college in military science, and for the military discipline of all students; conferring upon the board of directors of said college the right of eminent domain; making necessary appropriations for the location of said college, and declaring an emergency."

The bill was read second time.

Question—Shall the bill be passed to engrossment?

ADDRESS BY HON. R. E. THOMASON.

Mr. Pollard offered the following resolution:

Whereas, The Hon. R. E. Thomason, the beloved and honored Speaker of the House of Representatives of the Thirty-

sixth Legislature, is now within the bar of the House: therefore be it

Resolved by the House of Representatives. That the Hon. R. E. Thomason be invited to address the House at this time.

Signed — Pollard, Quaid, Beavens, Pool, Lackey.

The resolution was read second time and was adopted.

In accordance with the above action, the Speaker announced the appointment of Mr. Pool, Mr. Quaid, Mr. Duffey and Mr. John Davis of Dallas as a committee to escort Mr. Thomason to the Speaker's stand.

The Speaker then presented Mr. Thomason, who addressed the House.

ADJOURNMENT.

On motion of Mr. Miller of Dallas, the House, at 4:03 o'clock p. m., adjourned to 4:03 o'clock p. m., Tuesday, February 15.

APPENDIX.

STANDING COMMITTEE REPORTS

The following standing committees filed favorable reports today on bills as follows:

Agriculture: House bill No. 38.
Public Health: Senate bill No. 113.
Banks and Banking: House bill No. 417.
Roads, Bridges and Ferries: Senate bill No. 101.
Appropriations: House bill No. 383.
Education: House bill No. 301.
Oil, Gas and Mining: Senate bill No. 117, House bills Nos. 290, 415.
Municipal and Private Corporations: House bill No. 398, Senate bill No. 162.

The following standing committees made adverse reports today on bills as follows:

Common Carriers: House bill No. 429.
Appropriations: House bill No. 373, House Concurrent Resolution No. 20.
Oil, Gas and Mining: House bill No. 305.

REPORTS OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,
Austin, Texas, February 15, 1921.
Hon. Charles G. Thomas, Speaker of the House of Representatives.
Sir: Your Committee on Engrossed

Bills have carefully examined and compared

H. B. No. 196, A bill to be entitled "An Act to amend Section 2 of Chapter 42 of the General Laws of the Thirty-second Legislature relating to exemptions as affecting employes and ex-employes of common carriers, express, railway, telegraph, news and other companies, persons and corporations performing service for or in connection with the operation of the railways, the State Railroad Commissioners, peace officers and representatives of industrial fairs and farmers' congresses and institutes and farmers' unions, deputy sheriffs, United States marshals and not more than two deputies of each such marshal, chiefs of police and city marshals, eleemosynary and religious societies, volunteer firemen and Confederate veterans, the State Game, Fish and Oyster Commissioner and his two chief deputies, State and county health officers, government representatives accompanying fish for free distribution in the streams of this State, the Dairy and Food Commissioner and two chief deputies, and providing for right of contract between railway companies and editors, proprietors or publishers of newspapers and magazines, persons who have been instrumental in securing the passage by the United States Congress of statutes providing for the equipment of railroad trains with safety appliances, constables, members of the State militia in uniform when called into service."

H. B. No. 227, A bill to be entitled "An Act to provide for the organization of purely co-operative marketing associations, defining their rights, duties and policies, prescribing who may organize such marketing associations, and providing for investigation prior to such organization; prescribing the powers that may be exercised by such marketing associations under this act; prescribing who may become members of such marketing associations; prescribing what shall be contained in the articles of incorporation; providing for amendments to the articles of incorporation; providing for by-laws and the powers under such by-laws; providing for the meetings of members of any association organized under this act, and prescribing the way and manner in which officers and directors of such corporations may be elected; prescribing for membership certificates and their issuance and also the liability of members under the articles of incorporation, and limiting the transferring of membership certificates; providing for the removal of of-

ficers and directors of any co-operative marketing association organized under this act; providing for a referendum to the stockholders and entire membership of any organization on any question that may be referred to such stockholders or members; providing for marketing contracts of co-operative marketing associations; providing powers, giving the right of purchasing business of other associations, persons, firms and corporations in dealing with an organization incorporated under the terms and provisions of this act; providing for annual reports; limiting the use of the term 'co-operative' as applied to this act; providing for interest in other corporations or associations, and providing contracts and agreements with other associations; providing that any association heretofore organized under the present existing statutes may by majority vote come under the provisions of this act; providing for penalties for the breach of a marketing contract of a co-operative marketing association, and for making false reports about the association and the management thereof; providing that associations organized under this act shall not be construed as in restraint of trade; providing for annual license fees and filing fees under this act, and providing that if any section of this act is declared unconstitutional, the remainder of the act shall remain in full force and effect, and declaring an emergency."

And find the same correctly engrossed.
SNEED, Chairman.

Committee Room,

Austin, Texas, February 15, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 371, A bill to be entitled "An Act to create and establish the county of Kenedy out of territory taken from the existing counties of Cameron and Hidalgo; prescribing its area and boundaries; appointing commissioners to organize said county and prescribing their duties; providing for a division of said county into commissioners' and justices' precincts; providing for the holding of county and precinct elections for the election of county and precinct officers and for the location of the county seat of said county; providing for the attaching of said county to the judicial, representative, senatorial and congressional districts, and supreme judicial districts; providing for the

assessment and collection of taxes, for the defraying of the expenses of organizing said county and for the payment of the proportion of the liabilities of the counties of Cameron and Hidalgo, chargeable, respectively, on the territory taken from them; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

And find the same correctly engrossed.

PATMAN, Vice Chairman.

TWENTY-SIXTH DAY.

(Tuesday, February 15, 1921.)

The House met at 4:03 o'clock p. m., pursuant to adjournment, and was called to order by Speaker Thomas.

The roll was called and the following members were present:

Aiken.	Hall.
Baker.	Hardin.
Baldwin.	Harrington.
Barker.	Harrison.
Barrett of Bell.	Henderson
Barrett of Fannin.	of McLennan.
Bass.	Henderson
Beasley	of Marion.
of Hopkins.	Hendricks.
Beasley	Hill.
of McCulloch.	Horton.
Beavens.	Johnson of Ellis.
Binkley.	Johnson
Black, O. B.,	of Wichita.
of Bexar.	Jones.
Black, W. A.,	Kacir.
of Bexar.	Kellis.
Bonham.	King.
Branch.	Lackey.
Brown.	Laird.
Bryant.	Lauderdale.
Burkett.	Lawrence.
Burmeister.	Lindsey.
Burns.	Looney.
Carpenter.	McDaniel.
Childers.	McFarlane.
Coffee.	McKean.
Cox.	McLeod.
Cummins.	Malone.
Curtis.	Martin.
Davis, John E.,	Marshall.
of Dallas.	Mathes.
Davis, John,	Melson.
of Dallas.	Menking.
Dinkle.	Merriman.
Duffey.	Miller of Dallas.
Duncan.	Miller of Parker.
Edwards.	Moore.
Estes.	Morris of Medina.
Faubion.	Morris
Fly.	of Montague.
Fugler.	Mott.
Garrett.	Neblett.
Greer.	Owen.

Patman.	Stewart of Reeves.
Perkins	Swann.
of Cherokee.	Sweet of Brown.
Perry.	Sweet of Tarrant.
Pollard.	Thomas
Pool.	of Limestone.
Pope.	Thomason.
Quaid.	Thompson
Quicksall.	of Harris.
Rice.	Thompson
Rogers of Harris.	of Red River.
Rogers of Shelby.	Thrasher.
Rosser.	Veatch.
Rountree.	Wadley.
Rowland.	Walker.
Satterwhite.	Wallace.
Schweppe.	Webb.
Shearer.	Wessels.
Sims.	West.
Smith.	Westbrook.
Sneed.	Williams
Stephens.	of McLennan.
Stevenson.	Williams
Stewart	of Montgomery.
of Edwards.	

Absent.

Laney.

Absent—Excused.

Adams.	Kveton.
Brady.	Leslie.
Chitwood.	McCord.
Crawford.	Morgan.
Crumpton.	Perkins of Lamar.
Darroch.	Quinn.
Grissom.	Seagler.
Hanna.	Teer.
Johnson	Thorn.
of Gillespie.	Wright.

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Morgan for today and tomorrow, on motion of Mr. West.

Mr. Quinn indefinitely, on motion of Mr. Mott.

Mr. Kveton for today, on motion of Mr. Schweppe.

Mr. Grissom indefinitely, on motion of Mr. Branch.

Mr. Crawford for today, on motion of Mr. McFarlane.

Mr. Brady for today, on motion of Mr. Shearer.

Mr. Wright for today, on motion of Mr. McDaniel.

Mr. Crumpton for today and tomorrow, on motion of Mr. Marshall.

Mr. Pope for last Saturday, yester-